

# The Mayor and Council of Hurlock

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JOYCE A. SPRATT  
MAYOR  
JOHN H. AVERY  
CLERK / TREASURER

COUNCIL MEMBERS  
CHRISTOPHER J. ADAMS  
CHARLES T. CEPHAS, SR.  
PARKER J. DURHAM  
GARY L. HENRY  
MICHAEL D. NORDSTROM

## MINUTES OPEN SESSION MEETING MAY 13, 2013 6:00 P.M.

The meeting was called to order by Mayor Spratt. Following the Pledge of Allegiance and the opening prayer by Police Chief Les Hutton, the roll call was taken. Those in attendance were: Councilmembers Durham, Cephas, Nordstrom, Adams and Henry. Also in attendance were Mayor Spratt, Attorney Robert Merriken and Clerk Avery.

The Agenda was approved with a motion from Councilman Nordstrom, seconded by Councilman Durham and passed with a vote of 5 in favor and none opposed.

Mayor's Report - Newsletters with updates of activities were completed today and copies are available on the table by the door. Today the Town received news they will receive \$85,842.00 in highway user money for fiscal year 2013-2014. Mayor Spratt, Teri and Bobbie Jo, from the office went to Cambridge one afternoon to work on a house that Habitat for Humanity is building. It was a great experience. There are three properties in Hurlock that Habitat for Humanity will be working on in the future. The Mayor asked for assistance from the community in constructing a veteran's memorial. One has been started at the train station, but volunteers are really needed to bring this project to fruition. Unfortunately for the Town, the Medical Center will be closing Thursday, May 17th. This information is in the current newsletter, from which the Mayor read a portion. Mayor Spratt had spoken to Dr. Fadden and read a letter from him. Mrs. Fadden spoke regarding the closing of the medical facility. Dr. Fadden opened his practice in Hurlock 30 years ago and it was prosperous. It went into Choptank Community Health System self-funded and was doing well. The Mayor stated Joe Sheehan came to the Town and assured them they would not leave. It was a total surprise to hear about 4 weeks ago that they would in fact be leaving. Mayor Spratt met with Mr. Sheehan who was found to be very cold, with no compassion. Dr. Fadden had offered reduced rent or temporary free rent to help in keeping the center open. Dr. Fadden wants a medical center to operate in that building and will work to try to fill the vacancy.

Councilman Cephas stated he would like for the entire Council to meet with the CCHS Board and discuss what the Town could offer. Frank Bittner feels Hurlock is backsliding. Earl Murphy asked if there was a way to get to the three members of the board who did not know of the intent at the time the board made the decision. There was more discussion regarding providing transportation. County Councilman Rick Price commented about the positive effect the medical center had on the community. Margie, from CCHS said Federalsburg cannot handle the amount of patients from here. Councilman Durham feels that something just does not make sense. The Mayor expressed her sympathy for the employees and thanked them for their service.

The Mayor announced that Alan Plutschak was chosen for the vacancy of Public Works Coordinator Position. Councilman Durham made the motion to accept Mr. Plutschak for the position. Councilman Nordstrom seconded the motion. Councilman Cephas felt the Council should not vote on the hiring of Mr. Plutschak tonight, as there are personnel and legal matters pending. Mr. Merriken said the Council could vote in Open Session and have a discussion in Executive Session. Councilman Cephas asked to set the appointment aside. Voting in a hurry could cause it to go into litigation. Councilman Adams stated he never heard of this person. Councilman Durham said that as a Council they do not hire; it has to be approved by the Mayor. Councilman Cephas again stated he wanted to wait. Councilman Adams feels the Council needs to wait and have a full meeting with the attorney. Councilman Durham went forward with the vote. Councilman Durham - Aye, Councilman Nordstrom - Aye, Councilman Adams - Nay, Councilman Cephas, - Nay, and Councilman Henry voting Nay. The motion failed 2-3.

County Councilman Rick Price Report - The County Commissioners had their 1st budget public hearing last Tuesday, with the 2nd public hearing tomorrow, May 14, 2013. Mr. Price announced that Jane Baynard is showing improvement, but is still in rehab. Councilman Cephas thanked Mr. Price for his commitment to the community.

Department Reports - Police Chief Les Hutton reported the Drug Take-Back Program was considered a success and he thanked the community for their support. Chief Hutton also reported that for the 1st quarter of 2013, there were 862 calls, with fifty 911 calls. He further stated that Captain Henry was honored by the Maryland Committee for Employer Support of the Guard and Reserves for his work with a Police Officer who serves in the Military Reserve. Councilman Cephas thanked the Public Works Department and the Hurlock Police Department for their assistance and hard work with the Multi-Cultural Festival on Saturday May 11th. Councilman Cephas asked Chief Hutton if there was a possibility that he would consider in the future a line item in the department's budget to hire someone to answer the telephone after hours. Councilman Cephas asked that Chief Hutton consider the idea.

Old Business –

Clerk Avery presented an update on the Greg Koski lot on Academy Street. The infrastructure is in place. Mr. Koski wants to take a new house from a different development and move it to the Academy Street development site. To make it economically feasible he is asking the Town to waive the hookup fees. The costs of moving the house are very high along with the cost of a new foundation. The Town has no responsibility of costs as far as the infrastructure is concerned. There was some concern by Councilman Adams regarding how granting this request could affect future builders. Councilman Adams made a motion to decrease the connection fees from \$10,000.00 to \$2,000.00. Mayor Spratt explained that the hookup fees would have to be reduced from \$5,000.00 to \$2,000.00 because water and sewer were separate fees. Councilman Adams changed his motion to decrease the water and sewer hookup fees from \$5,000.00 each to \$2,000.00 each. Councilman Cephas asked to add an amendment to Councilman Adams' motion to waive the fees for the first new house in the Koski development. Mayor Spratt stated there had not been a 2nd to Councilman Adam's motion. Mayor Spratt then said the reduced fee would be for every new home. Mr. Merriken informed the Council that the fees are set by Town Ordinance, but a waiver could be done. Councilman Adams then made a motion to change the amount of fees for water and sewer hookup from \$5,000.00 each to \$2,000.00 each. Councilman Henry seconded the motion. The Council voted; Councilman Cephas - aye, Councilman Adams - aye, Councilman Henry - aye, Councilman Durham - aye, and Councilman Nordstrom - aye. The motion passed with a vote of 5-0. Councilman Durham made a motion to waive the hook-up fees for the first new house in the Koski development with Councilman Cephas seconding the motion. The Council voted; Councilman Cephas - aye, Councilman Adams - aye, Councilman Henry - aye, Councilman Nordstrom - aye, and Councilman Durham - aye. The motion passed with a vote of 5-0.

New Business - None

Public Comment -

Reverend McGrath spoke about the loss of the medical center and questioned about the rent. Mayor Spratt informed Rev. McGrath that Dr. Fadden assured her that he has not raised the rent for the medical office or the dentist office since he bought it. That is not one of the issues Choptank Community Health raised. Dr. Davis is not leaving.

Monroe Quails announced the rain date for the Multi-Cultural Festival is this Saturday, May 18th. He invited everyone to attend.

Paul Grahe mentioned flyers being distributed in his neighborhood unsigned. The Mayor was in possession of the flyer and stated the information was untrue. Earl Murphy mentioned that whoever writes a flyer should be a part of the Town not part of the problem.

Mayor Spratt asked to go back to Old Business with Councilman Cephas' motions and statements. The Mayor apologized to Councilman Cephas for skipping over him to Old

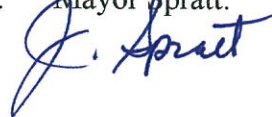
Business in an effort to deal with the Greg Koski lot. Councilman Cephas stated he had two motions to put forth. The first motion is dealing with a charter amendment that would clarify how the Councilmembers view a vacant position on the Town Council. The amendment would state that the vote would be held in Open Session as opposed to Executive Session. Mr. Merriken stated it would have to be done as a Charter Amendment process. A resolution could be voted on tonight then he would have to draft the amendment and it would have to be advertised and introduced, then voted on and would have to go through the Charter Resolution process. Mayor Spratt asked if the Open Meeting Act would take care of that. Mr. Merriken responded you could vote in Executive Session and announce the results in Open Session. Councilman Cephas stated that all votes should be in Open Session for the public to have input and to witness what the Council's business is about and how each Member voted. Mr. Merriken stated that the Council can decide to have the vote in Open Session but to do so would require a Charter Amendment. To clarify what Mr. Merriken is saying, Mayor Spratt stated that there would be no votes taken in Closed Session for the replacement of a Councilman. Councilman Durham asked couldn't it be worked out in Executive Session and then voted on in Open Session. Councilman Cephas stated he wished to bring clarity to the issue of voting in public for future Councils. Councilman Adams asked for the motion to be repeated. Councilman Cephas made the motion to vote in public for any vacant Council position. Mr. Merriken stated the current Charter, amended on April 17, 2012; 2012-2 reads: "if the Council cannot come to a unanimous decision in two regular sessions then the decision would be decided by a majority vote". There was considerable discussion. With no second to Councilman Cephas' motion, the motion was withdrawn.

8:07 P.M. - Councilman Nordstrom motioned to adjourn, seconded by Councilman Henry with all in favor.

Respectively submitted,

John Avery  
Clerk/Treasurer

Approved: Mayor Spratt:



Councilmembers:

